

Under Commission rules, telemarketing calls may be placed to any persons with whom the caller has an established business relationship formed by a voluntary two-way communication a person or entity and a residential subscriber on the basis of the subscriber's purchase or transaction with the entity within 18 months preceding the date of the call or upon the subscriber's application regarding products or services offered within three months prior to the call.

Indiana's statute is subject to exceptions that allow for previous relationships: not applying to a telephone call made in response to an request of the person called, or an existing debt or contract for which payment or performance hasn't been completed. Requiring only a past inquiry with specific grant of authority to be made authorizing a telephone solicitor to make a sales call. Further the Indiana statute does not extend to affiliates or other parties not part of the previous business relationship to call.

Federal law and Commission rules allow states to create further restrictions to thoughts of the Commissions, as Indiana has done.

The CBA's member institutions and others wish to avoid compliance to Federal law, Commission regulations, and state laws by creating inconsistent, cumbersome, costly, and confusing controversy where none exist. This attempt to create consumer confusion and feelings of futility among the consumer's (citizens) by avoiding plain policies of the governments and regulatory commissions should be shunned by all authorities.